

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
NORTHERN DIVISION

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UNITED STATES OF AMERICA,  
Plaintiff,

vs.

REAL PROPERTY LOCATED AT  
LAYTON, UTAH 84040, et al.,  
Defendants.

MEMORANDUM DECISION AND  
ORDER GRANTING UNOPPOSED  
MOTION FOR STAY OF CIVIL  
FORFEITURE PROCEEDING

Case No. 1:07-CV-006 TS

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This matter is before the Court on the unopposed Motion for Stay of Civil Forfeiture Proceeding filed by claimants Susan G. Ross and the joinder therein by Claimant John D. Ross. The United States has no objection.

Claimants seek to stay this proceeding pursuant to § 981(g)(2).<sup>1</sup> Under that statute, a defendant may obtain a stay of a civil forfeiture case if “(1) the claimant is subject to a related criminal investigation or case; (2) the claimant has standing to assert a claim in the civil forfeiture proceeding; and continuation of the forfeiture proceeding will burden the right

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<sup>1</sup>18 U.S.C. § 981(g)(2).


of the claimant against self-incrimination in the related investigation or case.”<sup>2</sup> The Court finds that Claimants Susan G. Ross and John D. Ross have established each of these elements is met and they are entitled to a stay. It is therefore

ORDERED that the unopposed Motion for Stay of Civil Forfeiture Proceeding Motion filed by claimants Susan G. Ross and the joinder therein by Claimant John D. Ross are GRANTED. It is further

ORDERED that this case is STAYED.

DATED September 4, 2007.

BY THE COURT:

  
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TED STEWART  
United States District Judge

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<sup>2</sup>*Id.*